

# BODY OF BENTON WILL BE EXAMINED TOMORROW

## ARMY SURGEON TO EXAMINE REMAINS AT GRAVE

Representative of Benton Family and British Consul to Participate in Juarez Inquiry.

### GOVERNMENT RESERVES RIGHT TO DEMAND BODY

Villa Magnanimously Grants Permission to the United States to Determine How It Happened.

[By Leased Wire to Evening Herald.] Washington, Feb. 25.—General Villa's proposal for an American examination of the body of William S. Benton, the English ranchman, who was executed in Juarez, without permitting its removal from Mexico, has been accepted by this government, without waiving, however, any further movement to demand its delivery on American soil. British Consul Percival at Galveston was today ordered to proceed to El Paso at once, where he is expected to arrive tomorrow, to go to the grave in charge with a delegation of Americans. Major General Scott, commanding the United States troops there, will detail an American army surgeon and any other officers to accompany the British consul. A member of Benton's family will be taken with the party.

### VILLA WILL PERMIT WIDOW TO VIEW THE REMAINS

Washington, Feb. 25.—White House officials when Secretary Bryan had left after an early visit today in regard to the Mexican situation, made this explanation of the status of the inquiry for Benton's body: Two dispatches were received yesterday, one from Consul Agent Carranza saying Villa could not permit a view of the body "at this time," but would do so later. That message came during the afternoon. Late last night a message was received from General Carranza at Chihuahua, who had been in personal conference with Villa. He reported that Villa was willing to have the widow and relatives of Benton see the body when it was exhumed and that their visit would be permitted in the presence of representatives to be designated by the American government. The United States will designate an army surgeon as one of its representatives and an examination of the body will be made according to White House officials. The latest representatives to Villa require that after the examination the body be delivered to the widow for burial wherever she may wish. The state department is hopeful that through General Carranza, Villa's superior officer, it can succeed in getting Benton's body. No answer has been received today to representations sent to Carranza yesterday at Nogales.

Secretary Bryan has communicated to the British embassy the latest messages from Consul Letcher, announcing Villa's willingness to permit the widow to view Benton's body, but his refusal to allow its removal. That, however, may not meet the demands of the British embassy. Secretary Bryan declined today to intimate what he would do in the event that Villa persisted in his refusal and Carranza could not be induced to intervene.

Discussing possibilities, some officials here said there was no legal obstacle to Brigadier General Riley sending a force of American cavalrymen from the border patrol to recover Benton's body if it can be located. That such would be an act of war was denied by such officials. Conditions in Mexico, they say, would justify action similar to that taken in China during the Boxer uprising when a large international force entered the country without any declaration of war. The legality of such a course was held to be beyond question. The eight hundred marines already on battleships in Mexican waters will be reinforced by three hundred sailing from Pensacola, Florida, on the transport Prairie, by next Sunday.

Secretary Daniels said that no orders had been issued for the landing of a guard for the American embassy at Mexico City. Secretary Bryan conferred with the senate foreign relations committee at the capitol. He had with him an arm of books and documents, some of them it was said relating to Mexico.

Later dispatches from Consul Letcher said General Villa had given

assurances that he would endeavor to locate the ten Americans whom he says he rejected as recruits for his army. Villa says when he offered them a special train to Juarez they preferred to remain in Chihuahua. He added that he had no record of their names but would try to get one.

There are no Americans in prison at Chihuahua, according to the consul's report. General Villa reiterated to Letcher that General Baugh had not been brought to Chihuahua and that he knew nothing about him. The American consul has protested against any summary action being taken against Baugh if he is apprehended by the rebels.

Charge O'Shaughnessy reported today that John Hinnant, a cattleman from Hebbronville, Texas, who had been taken into custody by the federalists, had been liberated at Saltillo. He added that his team had been returned with regard to an American named Benavides for whose safety anxiety was felt.

That course has been decided on pending the outcome of efforts to obtain the surrender of the body to Benton's family, which will not be refused in the least. An immediate examination, even under limited conditions, has been decided on in order that decomposition may not obliterate the mute evidence of the wounds.

Further complicated by despatches telling of official confirmation received by Consul Garrett at Nuevo Laredo, of the hanging by Huerta troops of Clemente Vergara, an American near Hidalgo, the Mexican attention took on more tenacity. If it could be said there was any change at all.

Secretary Bryan discussed the situation with the senate foreign relations committee and for more than two hours answered questions by senators. Both the secretary and senators declined to discuss their conference except to say that the trend was to get at the facts, leaving questions of policy for future determination.

"What we are seeking to establish," said Mr. Bryan, "was the actual situation; all the facts regarding the Huerta government and the constitutional movement."

"Was there any suggestion of a change of policy on the part of this government towards Mexico?" Mr. Bryan was asked.

"We did not talk policies," he replied. "What to do on the basis of the facts established was left for future consideration."

Mr. Bryan was questioned concerning the strength of the constitutional movement in Mexico and the characters of its leaders. The senators were particularly interested in Carranza and the execution of Benton.

**SIR LIONEL CAIDEN LEAVES MEXICO CITY**  
Vers Cruz, Feb. 25.—Sir Lionel Caiden, British minister to Mexico, arrived here from Mexico City today. The diplomat will leave on board the British cruiser Essex for Galveston as soon as the weather permits. From Galveston, Sir Lionel will travel to Washington.

**BAN ON AMERICAN NEWSPAPERS IN MEXICO**  
Mexico City, Feb. 25.—A ban appears to have been put on the delivery in Mexico of newspapers from the United States. By the last of last week almost none had reached the addresses. News dealers here obtain little satisfaction from the postoffice authorities and declare they have no doubt that the deliveries are being impeded by the officials. American magazines have also failed to reach their destinations.

**COWDRAY DENIES REPORTED OIL LAND GRAB**  
London, Feb. 25.—Lord Cowdray informed the Associated Press that there was no truth in the report current in Mexico City that it was the intention of the federal government to transfer the oil lands to him for \$50,000,000 gold after they have been nationalized by the Mexican congress.

The intention of the Mexican government to nationalize the oil lands was admitted yesterday by Querido Moheno, the Mexican minister of commerce and industry.

**JAPANESE OFFICIAL REFUSED ENTRANCE INTO MEXICO**  
Nogales, Ariz., Feb. 25.—Count Ito, a Japanese official, was refused entry into Mexican territory controlled by constitutionalists last Monday, according to information that became public today. He crossed the line to visit the American consul at Nogales, Sonora, and was turned back by constitutionalist immigration officers in accordance with orders relating to the entry of Asiatics. Count Ito was not arrested or detained.

**BRITISH GOVERNMENT IS PROCEEDING WITH CAUTION**  
London, Feb. 25.—The British government, it was announced today, is still awaiting an answer from the state department at Washington to its request to the United States government to secure a safe conduct for General Villa to enable Consul Percival of Galveston to participate in the investigation into the death of William S. Benton at Juarez.

Francis Drake Achard, parliamentary under-secretary for foreign affairs,

## SMALL ARMY OF MEXICANS CROSS INTO THIS STATE

Six Hundred Armed Men Believed to Be Huerta Filibusters Encamped in Florida Mountains.

### BELIEVED TO BE ON WAY TO LAS PALOMAS

Border Patrol Started on Trail of Band Who Are Thought to Be Going to Meet Orozco.

[By Leased Wire to Evening Herald.] Denning, N. M., Feb. 25.—A band of 600 Mexicans, supposed to be Huerta filibusters, who camped last night in the Florida mountains, started south early today, with horses and a considerable supply of arms and ammunition. The band was said to be headed for Las Palomas.

The United States army patrol had been notified and civil officers at Hatchita, N. M., headed a posse to intercept the band.

**BELIEVED TO BE ON WAY TO JOHN OROZCO**  
[Special Correspondence to the Herald.] Las Cruces, N. M., Feb. 25.—It is rumored here that a band of six hundred armed Mexicans crossed into New Mexico yesterday and remained in the Florida mountains over night. The presence of this band has revived the rumor that Pascual Orozco is in hiding in this vicinity and it is believed here that the band is seeking to connect with Orozco and a handful of followers said to be with him.

stated today in the house of commons that the foreign office was not prepared to order Mr. Percival to leave El Paso for the dangerous districts of Mexico until it had received some assurance that he would be safe in Juarez.

**VILLA'S COUNSELLORS TELL BANDIT TO BACK UP**  
El Paso, Tex., Feb. 25.—The investigation of the death of William S. Benton and the disappearance of Guadalupe Baugh ordered by the state department is at a standstill. In fact, it is learned, no real investigation by Americans was possible.

A new development, however, gives some promise of results. Luis Carranza's confidential agent, visited the rebel officials at Juarez yesterday and is reported to have done some very plain speaking with reference to the Benton and Baugh matters.

"We must clear up these matters no matter how black they may turn out to be against us," Carranza told the rebel revolutionists. "Delay only makes things worse. It is like a snowball growing constantly larger."

As a result of this conference two rebel officials left Juarez last night on a special train and arrived at Chihuahua this morning after an unusually fast run. Carranza's representations will be placed before Villa this forenoon, if plans do not miscarry. It is hoped that he will be convinced that his seeming policy of evasion is a mistaken one.

Consul Edwards at Juarez, and George C. Carothers, special agent of the state department, were without definite information as to Baugh and as to Benton's body today.

A newspaper special last night quoted Villa as saying he took Benton's body to Chihuahua with him. If so Consul Letcher at that city has no information as to where it was buried. Also he has no trace of Baugh.

In the case of the latter Juarez officials agreed to the state department's request that Baugh would not be removed from the border. According to Villa, however, this was done, the prisoner being taken to Chihuahua. His latest statement is that he does not know where the German-American is. At Juarez it is insisted he is not in custody.

These conflicts of reports are held by many persons here to confirm the confidential report made to General Scott, commanding at Fort Bliss, that Baugh was executed last Friday morning before Villa and his staff departed for Chihuahua.

When the rebel leader departed he took with him nearly all of the official familiar with the Baugh and Benton cases, which is the main reason that no investigation such as proposed by the state department could be made by Consul Edwards. In any

## Try Dynamite on Iowa State Treasury

Safe Blowers Make Desperate Effort to Enter Commonwealth's Strong Box After Overpowering Watchmen.

[By Leased Wire to Evening Herald.] Des Moines, Iowa, Feb. 25.—An unsuccessful attempt to dynamite the vault in the state treasurer's office here was made early today after two of the state house watchmen had been bound and gagged. The safe blowers shorted out before daylight left the capitol building with only 15, which secured took from a cash drawer in the treasurer's office.

### DETECTIVES CALL ATTEMPT ON VAULTS A "MYSTERY"

Des Moines, Iowa, Feb. 25.—The entire detective force of Des Moines turned out today in an effort to solve what is called the "mystery" of the attempted dynamiting of the vaults in the state treasurer's office, early today, when four masked men, after binding and gagging two watchmen and using explosives on the vault managed to get away with \$5 in a cash drawer.

The police admitted they were "puzzled" by the affair. The men, they said, indicated they might have been experts by their manner of affecting entrance into the building and their treatment of the watchmen, but their work on the vault was amateurish, it was declared.

William C. Brown, state treasurer, said that ordinarily not more than \$5,000 in currency was left in the vault, though there are more than a million dollars worth of securities. Late yesterday, however, a total of \$7,000 had been locked up.

The treasurer's safe contained about \$7,000 in currency and \$1,000,000 in securities, according to William C. Brown, state treasurer.

Detectives working on the case today said there was considerable mystery as to how the bandits got into the capitol building. They were hid in the board of parole rooms, when Watchman Russell, an old soldier, came along. Without warning, he said, they jumped upon him, overpowered and tied and gagged him, and dragged him into the treasury offices, where they immediately began to work on the vault. Two of the men were posted as lookouts, and as Watchman Carpenter, also an old soldier, came along, on his rounds, they grabbed him and tied him up, and took him to the treasury room along side Russell where one of them stood guard. Beyond a scuffle there was no fight in either case, according to the watchmen who told their stories to the police today.

Carpenter, in an interview, said that while he and Russell were lying on the chairs in the treasury he noted that Watchman they would make up but the latter died calmly while his mates were prisoners.

### DEIDERICHS ADMITS OFFENSIVE ORDER

[By Leased Wire to Evening Herald.] Baden, Germany, Feb. 25.—Admiral von Deiderichs himself admits he informed the British naval commander in Manila bay at the time of the Spanish-American war, that he would shoot any American officer who attempted to board a German warship "to make inquiry and establish identity" in carrying out the orders of Admiral Dewey.

This admission was made today in the course of a further narrative of events given to the Associated Press.

He is without power to summon witnesses and his ability to follow instructions to examine the condition of Benton's body depends wholly upon the pleasure of General Villa.

The only hope of progress lies in the outcome of the conference with Villa today. Without rebel co-operation the American agents are helpless. Despite the discouragements which they have encountered Consul Edwards and Mr. Carothers have been working night and day in attempts to carry out their instructions from Washington. Carothers may leave in a few days for the south to be present at the expected battle for the possession of Torreon.

It was reported at Juarez that General Carranza was due at Nogales today. Carranza expects to meet him there.

**FIFTEEN AMERICANS AT CHIHUAHUA MUSTERED OUT**  
Chihuahua, Feb. 25.—Fifteen Americans who came here with Villa's rebel troops were mustered out today on advice from Washington, and will be returned to Juarez today or tomorrow.

The presence of the Americans, animated by a desire for adventure rather than belief in the constitutional cause, multiplied possibilities of international complications to an extent which overshadowed their usefulness as rapid fire gun operators.

The date of Villa's departure for Torreon is still uncertain. He regards the capture of that important railroad center as a certainty and already has his plans ready for the campaign further south.

## DEPORTATION OF MOYER IS DESCRIBED BY TANNER

Auditor of Western Federation of Miners Tells Congressional Committee at Hancock How They Were Thrown Out.

### REVOLVERS USED FREELY ON HEADS OF VICTIMS

Operators in Michigan Field Will Begin Presenting Their Side of Case Before Committee Saturday.

[By Leased Wire to Evening Herald.] Hancock, Mich., Feb. 25.—Charles H. Tanner, auditor of the Western Federation of Miners, took the stand today before the congressional committee and described the deportation of Charles H. Moyer and himself.

"Moyer was standing in the room at his telephone," Tanner said, "when there was a rap on the door. I was standing by the bed and Moyer himself opened the door. A crowd of 20 or 30 men rushed in, shouting 'where is Moyer, where is Moyer?' At the same time three men covered me with automatic revolvers."

"Several men made a rush for him and bent him over almost double. Another man rushed in from the hallway and struck Moyer, as he was bent over, on the head with a revolver. The gun exploded and Moyer was wounded in the back."

Tanner said Moyer and he were then rushed out of the room, down the stairs and out of the hotel. They were hustled across the bridge to Houghton where they were placed on a train for Chicago in charge of two deputies, one named Henley, and warned if they ever came back they would be hanged.

On the bridge the witness said he was struck over the eye by his captor and he showed the committee a scar resulting from the blow.

Shortly before Moyer and himself were attacked, Tanner said, they had been waited on by a committee of citizens who had asked Moyer to accept \$20,000 which had been raised on behalf of the victims of the Colorado strike. He and Moyer replied it was for the people themselves to decide whether they would take the money and refused to give a statement to the newspapers urging them to do so.

He promised, however, to call up the secretaries of the various locals and to urge them not to discuss the Colorado disaster, as he also was asked to do. He was in the act of calling to the secretaries when the attack came. Tanner was the only witness called on this subject.

Announcement was made by the strikers' counsel this afternoon that they had concluded the presentation of their case. Chairman Taylor announced that at the conclusion of the inquiry here the committee would sit for one day in Chicago to take testimony of Michigan guardians in answer to the strikers' charges.

The committee then adjourned the public hearings until Saturday. In the meantime the congressmen will make an inspection of the mines, stamp mills and smelters. The operators will begin the introduction of witnesses on Saturday or Monday.

### ILLINOIS MINE WORKERS CONVENE IN PEORIA

Peoria, Ill., Feb. 25.—The opening session of the convention of the United Mine Workers of Illinois was held today. The address of welcome was delivered by Mayor E. N. Woodruff.

Three hundred and sixty-five delegates have voting privileges at the convention.

### ALASKAN RAILWAY BILL GOES TO CONFERENCE

[By Leased Wire to Evening Herald.] Washington, Feb. 25.—After many days the Alaska railway bill finally was taken in conference today with prospects of being returned to the senate and house for final passage tomorrow.

Senate managers were ready to accept nearly all house amendments with the exception of the mandatory provision for standard gauge spurs.

## No Decision as to Retrial of Becker

District Attorney Whitman Said to Regard Further Prosecution Useless in Face of Court's Decision.

[By Leased Wire to Evening Herald.] New York, Feb. 25.—Charles Becker, former police lieutenant, convicted of instigating the murder of Herman Rosenthal, the gambler, who has been granted a new trial, was visited in the death house at Sing Sing prison today by his attorney, Joseph A. Shay. Tomorrow, the attorney told Becker he is expected to serve the remittitur of the court of appeals on the prison warden. Becker will then leave the death house, where he has been confined since the fall of 1912 and be returned to a cell in the Tombs prison here until the final disposition of his case.

Behind him in the death cells Becker will leave the four gunmen convicted of the actual killing of Rosenthal, whose protest against the police graft system in New York, it was charged, caused him to be shot to death.

District Attorney Charles S. Whitman, who will determine whether Becker shall be tried again has thus far refused to say what further action he will take in the case. It is known, however, that he believes that a second trial would be futile in the face of the court of appeals decision. That decision, in effect stamps "dam" Schepps, one of the principal witnesses for the state, as an accomplice in the murder plot.

### BECKER AFTER MEN WHO PUT HIM "IN BAD"

Oswining, N. Y., Feb. 25.—As soon as Charles Becker gets out of prison he will devote all his energies, he says, to running down the men who are responsible for the murder of Herman Rosenthal. The former New York police lieutenant who was granted a new trial yesterday for the murder of Rosenthal, declared today that he could furnish information that would bring the real culprits to justice.

"After I have done that," said Becker, "I shall be willing to go back to the police department, if they want. If they don't I will enter some other line of work."

The four gunmen are terribly frightened today because they know they were not granted a new trial. They thought their case was tied up with mine.

"The four men who got immunity from the district attorney for swearing away my life may yet be arrested for the murder of Rosenthal. I think that Harry Vallon is the man who fired the fatal shot. That's the reason he got drunk before the killing. He wanted to get his nerve up for the deed."

Becker was in high spirits today. He burst into a torrent of reminiscences, promises, threats and self-congratulations.

Joseph A. Shay, his chief counsel, reached Sing Sing prison from New York today and had a conference with his client. It was expected that the remittitur from the court of appeals would reach New York today and that Becker would be claimed by the sheriff and taken back to the Tombs tomorrow.

## American Is Left Hanging to a Tree

Official Confirmation of Execution of Clemente Vergara, Citizen of Texas.

[By Leased Wire to Evening Herald.] Laredo, Tex., Feb. 25.—Official confirmation of the hanging of Clemente Vergara, American citizen, was received today by United States Consul Charles at Nuevo Laredo. The report said Vergara's body is still hanging three miles from Hidalgo. Consul Garrett immediately left for the scene.

Vergara was a rancher of Webb county, Texas. He used an island in the Rio Grande as a pasture. Vergara complained that Mexican federales were stealing his horses and a small detachment of Texas rangers were sent to his ranch. On February 13, Mexicans appeared on the island and killed Vergara, there evidently to pay him for the horses. When he reached the island, according to reports, he was struck in the back of the head by the soldiers, carried into the interior of Mexico and hanged.

### SEE FIRST SNOW FALL WITHIN 20 YEARS

[By Leased Wire to Evening Herald.] Washington, Feb. 25.—Snow today invaded sections of the south where it has not been seen before in 15 or 20 years. In Savannah there was two inches of snow—the first in a score of years, while Augusta had a like fall. Macon and Columbus, Ga., each reported two inches. New Orleans probably was the point farthest south to report snow—the first there since 1905.

[By Leased Wire to Evening Herald.] Topeka, Kan., Feb. 25.—Ar. J. C. Capner of Topeka today announced his candidacy for the Republican nomination for governor of Kansas. There are now three candidates.

## VILLA Will Permit Us to View the Remains.

## COLORADO IS SHORT OF FUNDS FOR MILITIA

Forty-Two Guardsmen at Montrose Angrily Demand Back Pay from State Auditor.

### MASS OF TESTIMONY FILES UP AT TRINIDAD

Laborers Mysteriously Dumb Before Strike Probe Commission Found Well Educated in Private Life.

[By Leased Wire to Evening Herald.] Trinidad, Colo., Feb. 25.—Charges that a witness for the United Mine Workers had been beaten by militiamen at Berwind were made today by union officials. The witness was James Fyler, who testified regarding general conditions in the mines. He declared that he was in a party of five strikers arrested near Ludlow last night and that all five were assaulted by soldiers.

The story was told by Fyler to E. P. Costigan, attorney for the mine workers, who said he would bring the alleged incident to the attention of the house investigating committee.

General John Chase said that he had investigated the story, and had learned that only one man was roughly handled. This man, he said, was overpowered by one militiaman while resisting arrest.

### WILL CUT DOWN GUARD IN THE COAL FIELDS

Denver, Feb. 25.—Arrangements to reduce materially the active military force in the Colorado coal fields are being made, according to an announcement today by Governor Ammons. The governor stated that as soon as the railroad is open the militia detachment in the Oak Creek district in Rout county will start home. The governor believes that with the newly organized national guard company at Steamboat Springs, subject to immediate call, the peace officers of the county will be able to handle the situation. An experienced officer will be left in the district for a short time. The reduction contemplates the removal of all the militia from Fremont county within a few days.

A telegram from a newspaper at Montrose was received by State Auditor Kenchan. It follows: "Forty-two discharged militiamen here say the state owes them two months' back pay. Cannot starve. What can you do to relieve situation? Answer quick."

Auditor Kenchan stated that nothing could be done at this time as the militia bills for January had not been passed upon by the military board. According to Governor Ammons, arrangements are being made as rapidly as possible to meet all obligations arising from the use of the militia in the coal districts.

Trinidad, Colo., Feb. 25.—Issues were joined sharply today on the question of alleged poisoning in the Colorado coal fields. The congressional investigating committee heard a mass of evidence bearing upon the shipments of strikebreakers from Pittsburgh during the coal miners' strike. Several men who came from Pittsburgh formerly testified for the strikers, declaring that they were brought to Colorado under false pretenses and held prisoners on the trains and in the mines.

Last night and today, Dominick Pollante, who aided in bringing two trainloads of strikebreakers from Pittsburgh, testified for the operators. He denied the charges of deception and imprisonment and on cross-examination by E. P. Costigan, stoutly stuck to his story that the men knew they were going into a strike region and that no force was employed in keeping them on the trains between Pittsburgh and Trinidad.

Poisoning charges have been looked upon by both sides as a vital factor in the strike investigation and every point in the testimony bearing upon the subject has been bitterly contested.

John Polla, a miner who said he came from Pittsburgh in the same car with Mike Grimaldi, a former witness for the strikers, testified that Grimaldi conversed with him in English and that he had seen Grimaldi sign his name. On the stand for the strikers last week, Grimaldi maintained that he could not write and steadfastly refused to understand any thing said to him in any language except Italian.

The witness said that on the train between Chicago and Trinidad Dominick Pollante had all the men sign their names on the back of a one of the company contracts to read out if any of the party had left the train. He told of signing another paper on